

REMARKS

Favorable consideration and allowance are respectfully requested for claims 8-28 in view of the foregoing amendment and the following remarks.

At the outset, we would like to express our appreciation to Examiner McCall for the courtesies extended during the personal interview conducted on July 25, 2002.

During the interview the prior art was discussed. The operation of the fuel filter in Bucci et al. was explained, and the position of the Applicants was explained as to the reference not showing the claimed limitations. No agreement was reached.

Responsive to the IDS requirements, by way of a Supplemental IDS which will be filed, it is requested that the Examiner review and consider the German Patent Documents.

Responsive to the claim objections, by way of the foregoing amendment the objections are obviated. Accordingly, withdrawal of the objections it is respectfully requested.

Responsive to the rejections under 35 U.S.C. §112, second paragraph, by way of the foregoing amendment the rejections are obviated. Accordingly, withdrawal of rejections is respectfully requested.

Claims 8-16 and 20-28 were rejected under 35 U.S.C. §102(b) as anticipated by Bucci et al. These rejections are respectfully traversed.

Bucci et al. does not disclose or suggest, among other features, a deposition tank that is formed into a housing of the fuel filter under filter material provided in the housing into which dirt filtered out of the fuel is deposited. Bucci et al., as seen in Figure 2, shows a fuel pump with an attached

filter 18 comprising a bag or envelope and a baffle. A fuel pump directs a portion of the fuel into cylinder 26 which includes a further or secondary filter 92 atop an orifice plate 30. In operation, the fuel pump supplies the cylinder 26 with fuel which is continuously flowed through the orifice 90 of orifice plate 30. A deposition tank is not formed into the housing of the fuel filter. The fuel filter in Bucci et al. does not include the housing of the fuel filter under a filter material provided in the housing. The baffle spaces, generally indicated by reference numeral 56, are not a deposition tank or a housing of the fuel filter. In order to anticipate a reference, the reference must teach each and every element as set forth in the claim either expressly or inherently. *Verdugal Brothers vs. Union Oil Company of California*, 814 F2nd 628, 631 (Fed. Cir. 1987). Bucci et al. merely shows that the fuel filter envelope 18 is provided in the fuel tank. The secondary filter 92 is located above the orifice plate 30 and thus is not washed by the fuel, but instead further filters the fuel. Since the secondary filter 92 is of a finer mesh than the primary envelope 18, any deposition of dirt in baffle space 56 would not occur as dirt material from 92 would simply wash through envelope 18. The fuel contained in cylinder 26 washes the particles clinging to the exterior surface of the filter as shown in column 10, lines 27–32. The particles on envelope 18 wash back into the fuel tank, not a deposition tank formed into a housing of the fuel filter under filter material. Thus, it is respectfully submitted that the claimed invention is not anticipated by Bucci et al., as set forth above. Accordingly, withdrawal of the rejection is respectfully requested.

Since claims 9–21 and claims 23–27 depend from claims 8 and 22, respectively, claims 9–21 and claims 23–27 are also patentably distinguishable over the cited reference. Withdrawal of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, the application is respectfully submitted as being in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #951/49129).

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Donald D. Evenson", is written over a horizontal line.

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MARKED-UP VERSION OF AMENDMENTS

8. (Amended) Fuel system for a motor vehicle with a fuel container from which a fuel pump transports fuel via fuel pipelines from a system input location in the fuel container via a fuel filter towards an engine,

wherein a deposition tank is formed into a housing of the fuel filter under a filter material, which is provided in the housing, into which said tank dirt filtered out of the fuel is deposited, and

wherein a pressure accumulator is installed in the fuel system which accumulates and stores fuel when the engine is running and after the engine is switched off, the fuel stored in the pressure accumulator rinses the fuel filter.

9. (Amended) Fuel system according to claim 8, wherein a portion of the fuel [can be transported] is transportable via the fuel pump into the pressure accumulator when the engine is running, and after the engine has been switched off, the fuel stored in the pressure accumulator [can flow] is flowable through the fuel filter removing the dirt deposited in the filter material.

11. (Amended) Fuel system according to claim 8, wherein a pressure regulator is provided towards the engine at a non-return valve [towards the direction of engine].

12. (Amended) Fuel system according to claim 10, wherein a pressure regulator is provided towards the engine at the non-return valve [towards the engine].

13. (Amended) Fuel system according to claim 11, wherein the fuel filter is connected to the fuel pump on a pressure side of the pump.

14. (Amended) Fuel system according to claim 11, wherein the fuel filter is connected to the fuel pump on a suction side of the pump.

15. (Amended) Fuel system according to claim 8, wherein the fuel filter is connected to the fuel pump on a pressure side of the pump.

16. (Amended) Fuel system according to claim 8, wherein the fuel filter is connected to the fuel pump on a suction side of the pump.

18. (Amended) Fuel system according to claim 8, wherein a delay valve is installed upstream of the pressure accumulator, so that after starting of the [motor] engine the pressure accumulator is filled with the fuel subject to a time delay.

19. (Amended) Fuel system according to claim 17, wherein, in the housing, guide vanes are provided which prevent the fuel flowing through the filter material from touching or disturbing the dirt collected in the deposition tank.

22. (Amended) Method of rinsing a fuel filter [providing,] having a fuel system with a fuel pump, a fuel filter with filter material and a deposition tank which is formed into a housing of the fuel filter under the filter material, a pressure accumulator, a non-return valve and connecting fuel lines wherein the pressure accumulator is toward [the] an engine from the fuel filter [and the non-return valve is toward the engine from the pressure accumulator], comprising:

accumulating fuel in the pressure accumulator during engine running, and

rinsing dirt from the filter material by sending the fuel accumulated in the pressure accumulator through [the fuel lines via] the fuel filter when the engine is turned off thereby the fuel washes the dirt on the filter material into the deposition tank.

23. (Amended) Method according to claim 22, wherein the fuel pump is arranged toward the pressure accumulator from the fuel filter.

24. (Amended) Method according to claim 22, wherein the fuel filter is arranged toward the pressure accumulator from the fuel pump.

27. (Amended) Method according to claim 22, wherein a pressure regulator is arranged toward the engine from the non-return valve.

28. (Amended) Fuel system for a motor vehicle wherein a pump transports fuel via fuel pipelines via a fuel filter towards [a motor] an engine,

wherein a deposition tank is formed into a housing of the fuel filter under a filter material into which said tank dirt filtered out of the fuel is deposited, and

wherein a pressure accumulator, which accumulates and stores fuel when the engine is running, is installed in the fuel system which, after the engine is switched off, the fuel stored in the pressure accumulator rinses the fuel filter.